

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

M.G., L.J., F.C., and M.C.,

Plaintiffs,

vs.

Civ. No. 13-23 KG/WPL

DAVID C. YOUNG,
ROBERT T. SMITH,
JOSEPH R. HUDSON,
MICHAEL CALLAWAY,
RAYMOND D. SCHULTZ,
in their individual capacities, and
THE CITY OF ALBUQUERQUE,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION

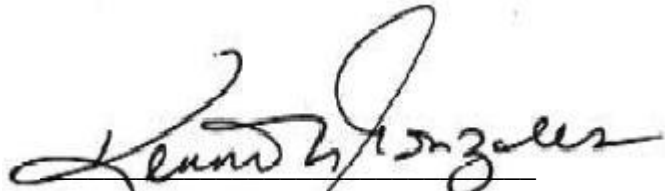
This matter is before the Court upon the Magistrate Judge's Order Denying Plaintiffs' Motion for Reconsideration, filed on July 29, 2015. (Doc. 128). On August 6, 2015, the Tenth Circuit Court of Appeals determined that, although the parties consented to the Magistrate Judge having ultimate decision making authority over certain dispositive motions, the Magistrate Judge did not have the authority to conclusively resolve Plaintiffs' Motion for Reconsideration (Doc. 117). (Doc. 129). The Tenth Circuit concluded that the District Judge must review the matter to conclusively resolve the Motion for Reconsideration. *Id.* In light of the Tenth Circuit's decision, the Court construes the Magistrate Judge's Order Denying Plaintiffs' Motion for Reconsideration as proposed findings and a recommended disposition (PFRD).

Under 28 U.S.C. § 636(b)(1), the parties have fourteen days after being served with a copy of the PFRD to "serve and file written objections to such proposed findings and recommendations" To date, no party has filed objections nor has any party sought an extension of time to file objections. Consequently, the Court adopts the Magistrate Judge's

Order Denying Plaintiffs' Motion for Reconsideration as an order of the Court and denies Plaintiffs' Motion for Reconsideration (Doc. 117).

IT IS ORDERED that

1. the Magistrate Judge's Order Denying Plaintiffs' Motion for Reconsideration (Doc. 128) is adopted as an order of the Court; and
2. Plaintiffs' Motion for Reconsideration (Doc. 117) is denied.



UNITED STATES DISTRICT JUDGE